

South Dakota Board of Social Work Examiners

dss.sd.gov/licensingboards/social.aspx

810 N. Main Street, Suite 298

Spearfish, SD 57783

Phone: 605.642.1600

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Strong Families - South Dakota's Foundation and Our Future

DRAFT MEETING AGENDA

TELECONFERENCE

South Dakota Board of Social Work Examiners

February 5, 2019-12:00PM CST/11:00AM MST

Teleconference with public access at:

Board Office
629 Main St.
Spearfish, SD
605-642-1600

Family Service Inc.
2210 W. Brown Place
Sioux Falls, SD
605-336-1974

The public is invited to attend the meeting via teleconference. Please contact the South Dakota Board of Social Work Examiners at (605)-642-1600 by February 4, 2019 to arrange for teleconference access.

Member Listing:

1. Karen Chesley, CSW-PIP, President
2. Michael Forgy, CSW-PIP, Secretary/Treasurer
3. Todd Herrboldt, CSW-PIP, Member
4. Jennifer Gray, CSW-PIP, Member
5. Sharon Stratman, SW, Member
6. David Nielsen, DVM, Lay Member
7. Cindy Steele, Lay Member
8. Vicki Isler, Ed.D., BCBA-D-Applied Behavior Analyst Committee
9. Amber Bruns, MS, BCBA-Applied Behavior Analyst Committee
10. Lisa Stanley, DVM, Lay Member-Applied Behavior Analyst Committee

Purpose: The Board protects the health and safety of the consumer public by licensure of qualified persons, enforcement of the statutes, rules and regulations governing the practice of social work, including the appropriate resolution of complaints.

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1. Call to Order/Welcome and introductions-Chesley
 2. Roll Call-Chesley
 3. Corrections or additions to the agenda
 4. Approval of the agenda
 5. Public Comment at 12:10 p.m. - *5 minutes for the public to address the Board*
 6. Approval of the minutes from November 21, 2018
 7. FY Financial Update
 8. Update on Proposed statute change 36-38-25-Senate Bill 31
 9. Update on Proposed statute change 36-26-3-Senate Bill 32
 10. Medicaid billing by CSW under supervision
 11. Renewal Update
 12. Mobility-Path to Licensure (Kelly Bass-CSW-PIP)
 13. Executive Secretary Contract
 14. Executive Session Pursuant to SDCL 1-25-2

14. Executive Session Pursuant to SDCL 1-25-2
 - a. Complaints/investigations-#265, #001-ABA
 - b. Applicant for re-licensure #2017-1
 - c. Applicant for Licensure #2018-1
 - d. CSW-PIP Contract Approvals
 - e. CSW-PIP Applicant Approvals
15. Any other business coming in between date of mailing and date of meeting
16. Schedule next meeting date
17. Adjourn

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DRAFT OFFICIAL BOARD MINUTES

Teleconference

November 21, 2018-12:00PM CST

Members Present: Karen Chesley, President
Michael Forgy, Secretary/Treasurer
Todd Herrboldt, Member
Jennifer Gray, Member
Sharon Stratman, Member

Members Absent: David Nielsen, Lay Member
Cindy Steele, Lay Member
Lisa Stanley, ABA Committee Member

Others Present: Carol Tellinghuisen, Executive Secretary; Jill Lesselyoung, Executive Assistant; Brooke Tellinghuisen Geddes, Executive Assistant; Amber Bruns, Viki Isler, ABA Advisory Committee Members; Quincy Kjerstad, Office of the Attorney General; Marilyn Kinsman, Senior Policy Adviser, DSS; Robert Morris, Morris Law Firm

Call to Order/Welcome and Introductions: President Chesley called the meeting to order at 12:02PM CST.

Roll Call: Chesley requested Lesselyoung call the roll. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes. A quorum was present.

Corrections or additions to the agenda: None

Approval of the agenda: Forgy made a motion to approve the agenda. Stratman seconded. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

Public Comment: Chesley called for any comments from the public. There were no public comments.

Approval of the Minutes from Board meeting September 19, 2018, Public Hearing October 15, 2018: Herrboldt made a motion to approve the minutes from September 19, 2018. Forgy seconded. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes. Forgy made a motion to approve the minutes from the public hearing October 15, 2018. Gray seconded. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

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Board meeting minutes November 21, 2018**

FY Financial Update: Lesselyoung reported fiscal year to date figures as of September 30, 2018: revenue of \$11,521.80 expenses of \$32,076.74 and cash balance of \$171,887.54.

Update on Proposed statute changes 36-38-25 (criminal background checks), 36-26-3 (composition of Social Work Board): Kinsman advised the statute changes are in progress and she will update the Board office when she receives further information.

Update on ABA/Social Work Rules: Morris advised the rules for the ABAs did not pass the committee by vote of three to two with a motion to revert. Morris explained to the Board that it was the opinion of the majority of the committee members that the Board has no jurisdiction over the assistants and paraprofessionals and therefore does not have the statutory authority to write rules relating to HB1195. Morris advised he explained the Board's position to the committee as having authority over the Behavior Analyst who supervises the assistants and paraprofessionals and the certification requirements of the BACB Inc. works with the Board's requirements. Morris felt under 36-38-27 the Board may delineate rules for the duties of the assistants and the paraprofessionals. However, the majority of the committee felt the Board does not have the statutory authority and viewed the proposed rules as an overreach by the Board. Morris credited Teresa Schulte as being instrumental in getting the Board to the table. Following discussion, the Board agreed they had done their due diligence. Morris advised any additional changes will require a statute change. Any further statutory changes needed will be addressed by the ABA committee members.

Tellinghuisen advised the Social Work rules passed with the exception of 20:59:01:10.06 which would have removed the fee schedule for examinations as examination fees are set by and paid directly to the testing service. The Committee felt the Board does not have the statutory authority to change the rule. Morris, Isler and Bruns exited the meeting at 12:47PM.

Update on Proposed Medicaid billing by CSW under supervision: Tellinghuisen advised the Board office had sent a mailing to all licensed CSWs advising of the new regulations. Licensees were asked to verify supervision on a form and return to the Board office. The Division of Medical Services also sent letters regarding how to enroll as a Medicaid provider.

ASWB-Delegate Assembly-San Antonio-November 15-17, Chesley, Tellinghuisen: Some of the topics discussed were mobility, a push to get all educators licensed, complaints, online training for new Board members, telehealth, impaired professionals, loss of deference to Boards on legal issues, updates to the current examinations. Gray expressed interest in attending the Spring Education meeting April 11-13, 2019 in Arlington, VA.

Executive Session: Herrboldt made a motion to enter executive session at 1:05PM pursuant to 1-25-2 to discuss complaints/investigations, CSW-PIP contract approvals, CSW-PIP applicants and applicant for re-licensure 2017-1. Gray seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes. Kinsman exited the meeting.

Forgy made a motion to exit executive session at 1:13PM. Herrboldt seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

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Complaints/Investigations: Herrboldt reported #265 as pending

Applicant for re-licensure #2017-1: The applicant was sent a correspondence on November 8 and asked to respond to the Board office within 60 days of the date of the letter.

CSW-PIP Supervision Contract Approvals: Herrboldt made a motion to approve the following contracts. Forgy seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; with an abstain on Nelson only; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

Bergstrom, B.: Supervision with Jonson beginning June 5, 2018.

Fett, E.: Supervision with Christopherson and Davis beginning June 1, 2018.

Forseth, T.: Supervision with Berard beginning September 17, 2018.

Haines, M.: Supervision with Lillich beginning September 4, 2018.

Thompson, L.: Supervision with Arens-Beauchamp beginning August 30, 2018.

Sorensen, J.: Supervision with Zimbelman beginning October 31, 2018.

Fullerton, S.: Supervision with Scheil beginning September 3, 2018.

Taylor, T.: Supervision with Healy beginning October 29, 2018.

Sims, R.: Supervision with Corrigan beginning October 18, 2018.

Bonn, S.: Supervision with Grace-Cruz beginning October 25, 2018.

Christensen, A.: Supervision with Bennetts beginning October 17, 2018.

Lahammer, E.: Supervision with Bennetts beginning October 17, 2018.

Wilcox, A.: Supervision with Grode Wolters beginning October 15, 2018.

Genzlinger, J.: Supervision with Bass beginning September 17, 2018.

Taylor, T.: Supervision with Stanage beginning September 20, 2018.

Nelson, D.: Supervision with Trammell beginning September 19, 2018.

CSW-PIP Applicant Approval:

Dorenkamp, D.: Forgy made a to approve for CSW-PIP licensure. Motion seconded by Stratman. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

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Board meeting minutes November 21, 2018**

Any other business coming in between date of mailing and date of meeting: Chesley advised going forward she would like the Board to focus on Social Work issues such as mobility for social workers and working with Kelly Bass, CSW-PIP on the path to licensure.

Schedule next meeting date: The next regular meeting is set for February 5th, 2019 at 12:00PM CST/ 11:00AM MST via teleconference.

Stratman made a motion to adjourn at 1:18PM CST. Herrboldt seconded the motion. **MOTION PASSED** by roll call vote. Chesley, yes; Forgy, yes; Herrboldt, yes; Gray, yes; Stratman, yes.

Respectfully submitted,



Carol Tellinghuisen
Executive Secretary

1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.

#7

BOARD OF SOCIAL WORK EXAMINERS
REVENUE SUMMARY
FOR MONTH ENDING 06/30/18

COMP	ACCOUNT	BDGT YEAR	GRANT YEAR	CENTER	FUND SRC	SUB FUND	FISCAL YEAR	FISCAL MONTH	YTD AMOUNT	MTD AMOUNT
6503	4293000	0	0	0893000	719		2018	12	\$ 118,830.00	\$ 6,100.00
6503	4920045			0893000	719		2018	12	\$ 2,022.43	\$ -
									\$ 120,852.43	\$ 6,100.00

BOARD OF SOCIAL WORK EXAMINERS
EXPENDITURE SUMMARY REPORT
FOR MONTH ENDING 06/30/18

COMP	ACCOUNT	BDGT YEAR	GRANT YEAR	ACCOUNT DESCRIPTION	CENTER	FUND SRC	SUB FUND	FISCAL YEAR	FISCAL MONTH	YTD AMOUNT	MTD AMOUNT
6503	5101030	0	0	BOARD & COMM MBRS FEES	0893000	719		2018	12	\$ 2,100.00	\$ -
6503	5102010	0	0	OASI-EMPLOYER'S SHARE	0893000	719		2018	12	\$ 162.64	\$ -
6503	5203030	0	0	AUTO-PRIV (IN-ST.) H/RTE	0893000	719		2018	12	\$ 376.32	\$ -
6503	5203100	0	0	LODGING/IN-STATE	0893000	719		2018	12	\$ 72.00	\$ -
6503	5203140	0	0	TAXABLE MEALS/IN-STATE	0893000	719		2018	12	\$ 26.00	\$ -
6503	5203150	0	0	NON-TAXABLE MEALS/IN-ST	0893000	719		2018	12	\$ 32.00	\$ -
6503	5204020	0	0	DUES & MEMBERSHIP FEES	0893000	719		2018	12	\$ 250.00	\$ -
6503	5204080	0	0	LEGAL CONSULTANT	0893000	719		2018	12	\$ 6,443.00	\$ 748.00
6503	5204090	0	0	MANAGEMENT CONSULTANT	0893000	719		2018	12	\$ 77,398.53	\$ 316.73
6503	5204180	0	0	COMPUTER SERVICES-STATE	0893000	719		2018	12	\$ 41.78	\$ (38.79)
6503	5204201	0	0	BFM CENTRAL SERVICES	0893000	719		2018	12	\$ 1,752.53	\$ -
6503	5204202	0	0	PROPERTY MANAGEMENT	0893000	719		2018	12	\$ 6.51	\$ -
6503	5204203	0	0	PURCHASING CENTRAL SERV	0893000	719		2018	12	\$ 20.89	\$ -
6503	5204204	0	0	RECORDS MGMT SERVICES	0893000	719		2018	12	\$ 240.00	\$ -
6503	5204207	0	0	HUMAN RESOURCES SERVICES	0893000	719		2018	12	\$ 790.92	\$ 20.84
6503	5204360	0	0	ADVERTISING-NEWSPAPER	0893000	719		2018	12	\$ 381.79	\$ -
6503	5204510	0	0	RENTS-OTHER	0893000	719		2018	12	\$ 3,819.80	\$ -
6503	5204530	0	0	TELECOMMUNICATIONS SRVCS	0893000	719		2018	12	\$ 66.00	\$ -
6503	5204590	0	0	INS PREMIUMS & SURETY BDS	0893000	719		2018	12	\$ 1,141.00	\$ -
6503	5205320	0	0	PRINTING-COMMERCIAL	0893000	719		2018	12	\$ 1,981.66	\$ 224.90
										\$ 97,103.37	\$ 1,271.68

**CASH CENTER BALANCE
FOR MONTH ENDING 06/30/18**

[illegible]

BOARD OF SOCIAL WORK EXAMINERS
 REVENUE SUMMARY
 FOR MONTH ENDING 12/31/18

COMP	ACCOUNT	BDGT YEAR	GRANT YEAR	CENTER	FUND SRC	SUB FUND	FISCAL YEAR	FISCAL MONTH	YTD AMOUNT	MTD AMOUNT
6503	4293000	0	0	0893000	719		2019	06	\$ 70,060.00	\$ 32,190.00
6503	4920045			0893000	719		2019	06	\$ 2,131.80	\$ -
									\$ 72,191.80	\$ 32,190.00

BOARD OF SOCIAL WORK EXAMINERS
EXPENDITURE SUMMARY REPORT
FOR MONTH ENDING 12/31/18

COMP	ACCOUNT	BDGT YEAR	GRANT YEAR	ACCOUNT DESCRIPTION	CENTER	FUND SRC	SUB FUND	FISCAL YEAR	FISCAL MONTH	YTD AMOUNT	MTD AMOUNT
6503	5101030	0	0	BOARD & COMM MBRS FEES	0893000	719		2019	06	\$ 1,560.00	\$ -
6503	5102010	0	0	OASI-EMPLOYER'S SHARE	0893000	719		2019	06	\$ 119.34	\$ -
6503	5203030	0	0	AUTO-PRIV (IN-ST.) H/RTE	0893000	719		2019	06	\$ 723.24	\$ -
6503	5203100	0	0	LODGING/IN-STATE	0893000	719		2019	06	\$ 313.20	\$ -
6503	5203150	0	0	NON-TAXABLE MEALS/IN-ST	0893000	719		2019	06	\$ 128.00	\$ -
6503	5204080	0	0	LEGAL CONSULTANT	0893000	719		2019	06	\$ 6,844.96	\$ 2,849.96
6503	5204090	0	0	MANAGEMENT CONSULTANT	0893000	719		2019	06	\$ 47,878.35	\$ 9,656.17
6503	5204180	0	0	COMPUTER SERVICES-STATE	0893000	719		2019	06	\$ 9.32	\$ -
6503	5204201	0	0	BFM CENTRAL SERVICES	0893000	719		2019	06	\$ 952.33	\$ -
6503	5204204	0	0	RECORDS MGMT SERVICES	0893000	719		2019	06	\$ 127.50	\$ -
6503	5204207	0	0	HUMAN RESOURCES SERVICES	0893000	719		2019	06	\$ 445.20	\$ 101.18
6503	5204360	0	0	ADVERTISING-NEWSPAPER	0893000	719		2019	06	\$ 985.90	\$ -
6503	5204510	0	0	RENTS-OTHER	0893000	719		2019	06	\$ 2,385.90	\$ 300.00
6503	5204530	0	0	TELECOMMUNICATIONS SRVCS	0893000	719		2019	06	\$ 92.00	\$ 10.00
6503	5205320	0	0	PRINTING-COMMERCIAL	0893000	719		2019	06	\$ 1,021.07	\$ -
										\$ 63,586.31	\$ 12,917.31

CASH CENTER BALANCE

FOR MONTH ENDING 12/31/18

[illegible]

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0282

SENATE BILL NO. 31

Introduced by: The Committee on Health and Human Services at the request of the
Department of Social Services

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding criminal background
2 checks for assistant behavior analysts and paraprofessionals.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 36-38-25 be amended to read:

5 36-38-25. Any assistant behavior analyst or paraprofessional who delivers applied behavior
6 analysis services under the extended authority and direction of a behavior analyst shall submit
7 to a criminal background investigation, by means of fingerprint checks by the Division of
8 Criminal Investigation and the Federal Bureau of Investigation. If no disqualifying record is
9 identified at the state level, the fingerprints shall be forwarded by the Division of Criminal
10 Investigation to the Federal Bureau of Investigation for a national criminal history check. The
11 behavior analyst who supervises the assistant behavior analyst or paraprofessional is responsible
12 for any fees charged for the cost of fingerprinting or the criminal background investigation as
13 required by this section. Each criminal record provided to the board under this section is
14 confidential. The board may use the records only in determining an assistant behavior analyst's
15 or paraprofessional's eligibility to be supervised by an applied behavior analyst for the delivery



1 of applied behavior analysis.

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0283

SENATE BILL NO. 32

Introduced by: The Committee on Health and Human Services at the request of the
Department of Social Services

1 FOR AN ACT ENTITLED, An Act to revise the composition of the South Dakota Board of
2 Social Work Examiners.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 36-26-3 be amended to read:

5 36-26-3. The South Dakota Board of Social Work Examiners; consists of seven members,
6 two of whom shall be lay members, ~~three~~ four of whom shall be certified social workers
7 licensed under the provisions of this chapter to engage in private independent practice, ~~two~~ and
8 one of whom shall be a social worker ~~professionals~~ professional licensed under the provisions
9 of this chapter ~~each with a minimum of two years practice in the State of South Dakota who has~~
10 practiced in the state for at least two years. The Governor shall appoint all of the members.



December 18, 2018

Dear Licensed CSW,

In order to remain on the list provided to DSS as a Medicaid eligible provider under ARSD 67:16:41:01, you must remain under an approved supervision agreement as required by ARSD 20:59:05:05. Continued supervision is not required for licensure if you have been approved to take the Clinical Exam. However, continued supervision is required if you wish to remain on the list disseminated to Department of Social Services as a Medicaid eligible outpatient behavioral health provider.

Please fill out the information at the bottom of this letter if you plan to stay on your most current plan of supervision and wish to be on the list provided to DSS. Should any changes in supervision occur, it is your responsibility to immediately notify the Board office in writing. Should you need to change supervisors, you must go through the approval process by filling out a new Contract for Supervision to be reviewed by the Board.

Please be advised, by disseminating this list to the Department of Social Services, the South Dakota Board of Social Work Examiners does not endorse any social worker, nor does the Board attest whether any particular social worker is competent to provide mental health services.

Please fill out the information below if you are attesting that you are under a Board approved supervision agreement. Your name will be included on the list submitted to the Department of Social Services as a Medicaid eligible outpatient behavioral health provider.

Name & License Number	
Supervisor & License Number	
Contract Approval Date:	
Date Approved for Clinical Exam:	
Anticipated Testing Date:	

Signature: _____

Date: _____